ũ

Atty Docket:

N=3A

INTHE UNITED STATES PATENT AND TRADEMARK OFFICE In re Application Application Division NIELSEN, Soren et a & TRADEM ATTN: Box Missing Parts Serial No.: 09/845,716 Washington, D.C. September 24, 2001 Filed: May 02, 2001 FOR: USE OF ALPHA-MSH AND EPO FOR PREVENTING OR... Confirmation No. 3819

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated <u>June</u> 1001 Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present [XX] application by title, filing date, serial number and priority information. Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present [] application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed. Applicant claims small entity status. See 37 CFR 1.27. [XX] [XX] Abstract of the technical disclosure. [XX] Substitute drawings in compliance with 37 CFR 1.84. [] A Communication. [XX] Preliminary Amendment

Sequence Listing (hardcopy), and computer-readable form of Sequence Listing. [] A certified copy of priority document no._ ____, filed_ _, is also attached. Priority is claimed.

Q (An Information Disclosure Statement with OBA-1449 and _ _ references is also attached.

Change of Address

	(Col.1)	(Col.1) (Col. 2)		Smal	l Entity		OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA		RATE	FEE	OR	RATE	FEE
BASIC FEE					\$355.00	OR		\$
TOTAL CLAIMS	11 - 20	0		x 9 =	\$	OR	x 18 =	\$
INDEP.CLAIMS	2 - 3	0		x 40 =	\$	OR	x 80 =	\$
[] Multiple claims presented				+ 135 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2				TOTAL	\$355.00		TOTAL	\$

Note: By preliminary amendment, multiple dependency has been eliminated.

The following fee is calculated below:

[] Surcharge for late filing of English translation \$ 130.00

Late filing of Declaration surcharge in the amount of: Small Entity [XX] Other than Small Entity [] \$130.00

[XX] \$65.00 It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). [XX]

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Other Than Small Entity Small Entity Response Filed Within Response Filed Within First - \$ 110.00 Second - \$ 390.00 - \$ 55.00 - \$ 195.00 [XX] First [] First Second) - \$ 445.00 - \$ 890.00 Third Third 3 - \$ 695.00 - \$1,390.00 Fourth Fourth Month After Time Period Set Month After Time Period Set Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor. [XX]

Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of $\frac{$475.00}{}$, is attached. The Commissioner is hereby authorized and requested to charge any additional fees which may be required in [] connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does <u>not</u> include

patent issue fees under 37 CFR 1.18.

05/85/2001 SDENBOD1 00000028 09845716

02 70:515

55.00 02

BROWDY AND NEIMARK, P.L.L.C. Attorneys for Applicant(s)

Iver P. Cooper

Registration No. 28,005

IPC: tw

[}

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE Washington, D.C. 20231

www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

ATTORNEY DOCKET NUMBER

09/845,716

05/02/2001

FIRST NAMED APPLICANT Soren Nielsen

NIELSEN3A

CONFIRMATION NO. 3819

FORMALITIES LETTER

OC000000006218059*

001444 BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303

Date Mailed: 06/22/2001

MSP=22AU2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$270.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1110.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

09/25/2001 SDENBOB1 00000028 09845716

Substitute drawings in compliance with 37 CFR 1.84 because:

01 FC:201 02 FC:205 355.00 CF

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(q)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY